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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/251,998	02/19/1999	RICHARD BAXTER HULL	5-4-1-4	3940

7590 10/10/2006

RYAN, MASON & LEWIS LLP  
1300 POST ROAD  
SUITE 205  
FAIRFIELD, CT 06430

EXAMINER

ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## DETAILED ACTION

### *Response to Amendment*

1. The reply filed on 06/23/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): "The proper response to the Examiner's Answer dated 04/21/2006 should have been a Reply Brief and not another Appeal Brief. Appellant mistakenly filed the Appeal Brief dated 06/23/2006 in response to the Examiner's Answer which has a sub-heading under section (9) Grounds of Rejection, which was a copy and paste of the Office Action that the Appeal Brief dated 08/11/2005 is in response to, thinking that the heading that stated a Reopening of Prosecution was part of the actual Examiner's Answer. This is not the case. As stated before, this was a copy and paste of the Office Action dated 12/01/2004." See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

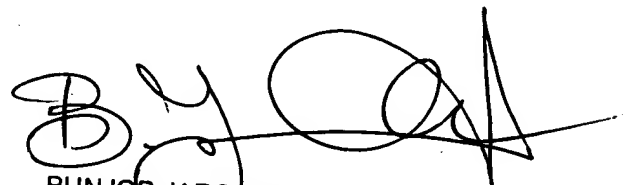
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David E. England  
Examiner  
Art Unit 2143

DE



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER